



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q59736

Soeren MORITZ, et al.

Allowed: January 10, 2006

Appln. No.: 09/750,673

Group Art Unit: 2128

Confirmation No.: 8001

Examiner: Fred O. FERRIS III

Filed: January 2, 2001

For: DEVICE AND METHOD FOR GENERATING A VIRTUAL MODEL OF AN
INSTALLATION

DRAFT COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

ATTN: MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant makes the following comments on the Examiner's statement of reasons for allowance:

The Examiner's statement should not be misinterpreted as meaning that the identified combination is the only reason for patentability of the claims. The Examiner alleges that all the features of independent claims are individually disclosed the prior art. Moreover, the Examiner alleges that certain combination of elements set forth in the claims are rendered obvious. The Examiner further emphasizes that it is the combination of the memories with the evaluation control unit that renders the claims unobvious in view the prior art of record. Applicant does not acquiesce to the Examiner's reasons for allowance.

Applicant respectfully submits that independent claims and the dependent claims include various other aspects which provide a separate basis for patentability. The Examiner's statement

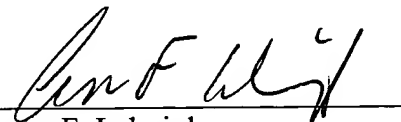
DRAFT COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
U.S. Appln. No. 09/750,673
Attorney Docket No.: Q59736

emphasizes certain aspects of the claims, but each claim should be interpreted using its own precise language, without inferring any particular emphasis from the Examiner's statement.

The Examiner's statement should not be interpreted as identifying patentable features in any of the claims. The claims are carefully written to precisely define the bounds of the invention, and persons reading these remarks hereafter should note that any difference between the Examiner's comments and the language of the claims should be resolved by recourse to only the express language of the claims.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application." Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated January 10, 2006.

Respectfully submitted,


George F. Lehnigk
Registration No. 36,359

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 7, 2006

Attorney Docket no.: Q59736